

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Anthony Wayne London

Docket No. 5:04-CR-66-1F

Petition for Action on Supervised Release

COMES NOW Erica W. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Anthony Wayne London, who, upon an earlier plea of guilty to Distribution of More Than 5 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on August 3, 2004, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

On May 21, 2008, pursuant to a 18 U.S.C. § 3582(c)(2) Motion filed by the defendant, the court reduced his sentence from 72 months to 58 months. Anthony Wayne London was released from custody on June 13, 2008, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

The defendant has been under supervision now for a little over 2 years. Although he had a difficult transition in finding a permanent residence upon release, he has resided in our district now for over a year and has completed barber college. Despite his current stability, he remains unemployed and is making payments toward his outstanding court indebtedness sporadically, at best.

We recommend that his conditions be modified to include participation in a cognitive behavioral program to address his poor decision making and lack of motivation in changing his current situation. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Erica W. Foy
Erica W. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: July 29, 2010

ORDER OF COURT

Considered and ordered this 29th day of July, 2010, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge